

January 28, 1999



OFFICE OF THE
ATTORNEY GENERAL
STATE OF TEXAS

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Mr. Michael Hull
Assistant County Attorney
Harris County
2525 Holly Hall, Suite 190
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Dear Mr. Hull:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 121552.

The Harris County Assessor and Collector of Taxes (the "assessor/collector") received an open records request for access to a named individual's voter registration certificate. You contend that the social security number contained in that certificate is excepted from public disclosure under section 552.101 of the Government Code in conjunction with section 13.004 of the Election Code.

Section 552.101 excepts from disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." This section encompasses information protected by other statutes. Section 13.004 provides as follows:

- (a) The registrar may not transcribe copy, or otherwise record a telephone number furnished on a registration application.
- (b) The registrar may transcribe, copy, or otherwise record a social security number furnished on a registration application only in maintaining the accuracy of the registration records.

Elec. Code § 13.004. You argue that because the request does not involve maintaining the accuracy of the registration records, the assessor/collector is prohibited from copying the social security number in response to the open records request. We agree. However, we note that section 13.004 does not prohibit access to and inspection of the social security number. *Cf.* Election Law Opinion No. JWF-24 (1984) (although voter registrar is prohibited from transcribing, copying, or recording any telephone numbers furnished on a voter registration application, persons inspecting the files were not subject to this prohibition).

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



William Walker
Assistant Attorney General
Open Records Division

WMW/RWP/ch

Ref.: ID# 121552

Enclosures: Submitted documents

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